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NEWS RELEASE

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EOIR Announces Latest Disciplinary Actions Under Rules of Professional Conduct *Four Attorneys Receive Final Orders*

The Executive Office for Immigration Review (EOIR) has taken disciplinary action against four attorneys after charging them with violations of the rules of professional conduct for immigration practitioners. These rules appear in Title 8 of the Code of Federal Regulations (8 CFR Parts 3 and 292). The attorneys' violations arose either out of sanctions imposed by other jurisdictions or a criminal conviction.

Disciplinary proceedings began in each case with a Notice of Intent to Discipline filed with the Board of Immigration Appeals (BIA) by the Office of the General Counsel of either EOIR or the Department of Homeland Security (DHS). The BIA required each attorney to respond to the alleged violations. In the first three cases, a Petition for Immediate Suspension also was filed, and the BIA ordered those attorneys to be suspended immediately from practice before the Immigration Courts, the BIA, and the DHS. (DHS joined EOIR in taking the disciplinary action.)

Final Orders of Discipline

An Assistant Chief Immigration Judge issued a Final Order of Discipline against the following attorney:

- ! **James C. Dragon:** He was disbarred from the practice of law in the State of Massachusetts by the Supreme Judicial Court of Suffolk County, Commonwealth of Massachusetts, on August 23, 2003. The final order of October 29, 2003, suspends him indefinitely from practice before the immigration tribunals.

The BIA issued Final Orders of Discipline against the following attorneys:

- ! **Michael P. Karr:** He was suspended from the practice of law for 9 months by the Supreme Court of California. He had stipulated that he had violated the California Rules of Professional Conduct by forming a partnership with a person who was not a lawyer and sharing fees with the same individual. He was immediately suspended by the BIA on October 1, 2003, pending final disposition of his case. The final order of October 23, 2003, suspends him from practice before the immigration tribunals for 9 months, effective August 27, 2003.

(more)

- ! **Jason A. Martinez:** He pleaded guilty in the U.S. District Court for the Western District of Arkansas to a criminal charge related to obtaining an employment authorization card for an individual, knowing the card was unlawfully obtained. He was immediately suspended by the BIA on September 25, 2003, pending final disposition of his case. The final order of November 5, 2003, expels him from practice before the immigration tribunals, effective September 25, 2003.

- ! **Bruce C. Burge:** He was placed on “not entitled to practice law” status in California on September 1, 2001. After that date, he continued to represent aliens in Immigration Court on at least five separate occasions. The final order of October 23, 2003, suspends him from practice before the immigration tribunals for 6 months, effective October 23, 2003.

Summary

In each of the disciplinary matters cited above, the disciplined attorney was directed to notify promptly, in writing, any clients with cases currently pending before the BIA, the Immigration Courts, or the DHS that he may no longer represent clients before these tribunals.

The Rules of Professional Conduct include provisions specifying grounds for disciplinary action, requirements for receiving and investigating complaints, and procedures for conducting hearings. The Rules also authorize the BIA to immediately suspend a practitioner who has been subject to disbarment, suspension, or resignation with an admission of misconduct as imposed by a state or Federal court, or who has been convicted of a serious crime, pending a summary proceeding and final sanction. They are available on the EOIR Web site at http://www.usdoj.gov/eoir/vll/fedreg/2000_2001/fr27jn00R.pdf.

EOIR announces these disciplinary actions to inform the public about practitioners who are not authorized to represent any matter before an immigration tribunal. EOIR also posts a “List of Suspended and Expelled Practitioners” on its Web site at <http://www.usdoj.gov/eoir> (near the bottom of EOIR’s home page).

Additional information about the Attorney Discipline Program can be found at <http://www.usdoj.gov/eoir/press/00/profcond.htm> and <http://www.usdoj.gov/eoir/press/00/profcondfaks.htm> on the EOIR Web site.

EOIR is a component of the Department of Justice which, on behalf of the Attorney General, adjudicates cases involving aliens who are charged with immigration violations. EOIR has more than 220 Immigration Judges located in 52 Immigration Courts nationwide to conduct proceedings and decide cases, the BIA to hear appeals of Immigration Judge decisions, and the Office of the Chief Administrative Hearing Officer to handle employment-related immigration matters.

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